

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No.43728

Jonathan O. Riddix
Rose M. Riddix

120 Carver Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on April 1, 2009, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 35-5-302 (b); 35-5-303, failure to maintain exterior of owner occupied structure including but not limited to roof, soffits and fascia, exposed wood, exterior wall on residential property zoned DR 10.5 known as 120 Carver Road, 21222.

On March 3, 2009, pursuant to § 3-6-205, Baltimore County Code, a Code Enforcement citation was issued. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$45,000.00 (forty five thousand dollars).

The Respondents failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on December 29, 2008 for abatement of rat infestation, sealing of exterior openings from rodents and pests, and correction of unsanitary conditions. On December 30, 2008, a County-ordered crew removed substantial junk, trash and debris, overgrown vegetation, and a dilapidated shed from the property, pursuant to Final Orders dated October 8, 2008 and June 23, 2008. Substantial civil penalties have been imposed on Respondents for code violations on this property, most recently including \$2,400.00 in October 2008 and \$5,000.00 in June 2008. This property has been the subject of repeated code enforcement actions since at least 1999.

B. This Citation was issued on March 10, 2009. Photographs in the file show that this is a two-story brick home in the middle of a row of homes. Notes and photographs in the file indicate that the exterior of the house is in disrepair, with fascia and other wood in need of repair and paint; and roof wavy in appearance and covered with deteriorated shingles. This violates county code requirements for proper maintenance of residential property.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to \$0 (zero dollars) if the violations are corrected by May 15, 2009. If the Respondents fail to correct the violations, then the civil penalty shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 17th day of April 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer